1933-166

Nansemond County (Suffolk)

Chancery Causes: E.S. Norfleet, trustee
vs
J.B. Morgan, admr & c by

* All old chancery cases are dismissed in this year

Cross, Johnson, Haslett,
Rountree, Cutchin, Turner,
Vaughan, Skinner, Sumner,
Peele

$ 400 On demand we promise to pay unto

Willie and 2 Peet his Heirs, Executors, Administrators or Assigns,

the just and full sum of four hundred DOLLARS and CENTS,

current money of the United States, for value received, with interest from date; for the payment of

which we bind our selves, our Heirs, Executors and Administrators firmly by these presents;

and we hereby waive the benefit of our exemption as to this debt, obligation or contract.

As witness our hands and seals this 2 day of September, in the

year of our Lord one thousand eight hundred and ninety

Witness Wm. T. Peet

Charles D. Cross [SEAL.]

Sarah E. Cross [SEAL.]

Robert Johnson Dat

Int Pd in full to
Sept – 3, – 1909

For value received four hundred dollars ($400.00) This bond together with deed of trust securing same is this day assigned without recourse to S. E. Everett
Dec 24th 1912

W. L. Peele

$5.00 Received of E. S. Norfleet, Trustee, Five Dollars for selling the C. T. Cross farm.

W. E. Whitfield , auctioneer,

by W. E. Whitfield, atty

E. S. Norfleet. Trustee,.....Complainant,

vs. In Chancery.

J. B. Morgan, Admr. and others.....Defendants.

E. S. Norfleet, Trustee and Complainant in the above suit submits to your Honor the following report.

1911

Aug. 15.	Land sold to Elisha T. Johnson for		$2550.00
	Interest from Sept 1st. 1911 to date		204.00

Paid out as follows:

Suffolk Herald. Advertisement..	$ 6.25	
W. E. Whitfield, Auctioneer	5.00	
S.E. Everett, writing deed	10.00	
Taxes for year 1910	19.69	
Taxes for the year 1911	21.86	
E. S. Norfleet, Trustee's fee	25.00	
Cost in this suit	35.94	
W. C. Peele bond secured by deed of trust	500.00	
Sarah E. Cross and C. A. Johnson	2130.26	
	$2754.00	$2754.00

Your complainant prays that this report be approved and confirmed and nothing remainding to be done further that a decree be entered releasing said Trustee and dismissing suit.

Respectfully submitted,

E. S. Norfleet

Complainant and trustee

Approved Dec. 28, 1912.

Sarah E Cross

C A Johnson

E. S. Norfleet, Trustee,.....Complainant,

vs. In Chancery.

J. B. Morgan, Admr. and others.....Defendants,

This cause came on again this day to be heard on the papers formerly read, and on the report of E. S. Norfleet, Trustee, this day filed, which report, approved by Sarah E. Cross and C. A. Johnson, shows a proper distribution of funds as directed in decree entered in this cause on the 16th. day of November, 1912, to which report there is no exception and was argued by counsel.

On consideration whereof the court approving and confirming said report and nothing further remainding to be done in this suit doth adjudge, order, and decree that this cause be stricken from the docket.

E. S. Norfleet, Trustee,

vs.

J. B. Morgan, Admr

Enter 16 Jan. 1913.

Entered in Chancery Order

Book No. page

Approved.

_____

_____

If not delivered in 5 days return to

S. E. EVERETT,

ATTORNEY-AT-LAW,

SUFFOLK, VA.

Receipts

Mr. Charles A. Johnson Dr.

S. E. Everett will pay

1910 To G. W. BUTTS, Treasurer of Nansemond County, Va.

No. 535

	STATE TAXES.																	
	State Tax Support Gov. 20c on $100 R. E. and P. P. Schedule B		State Tax Support Gov. 25c on $100 P. P. Sched C		State School Tax 10c on $100 R. E. & P. P. Sched. B. & C		State Tax for Pensions 5c. on $100 R. E. & P. P. Schedule B		County Levy 27c on $100	County Road Tax 15c on $100	County School Tax 25c on $100	District School Tax 15c on $100	Parish Levy 8c on $100	TOTAL TAX	
Real Estate, acres 300 valued $ 1500	3	00			1	50		75	4	05	2	25	3	75	2	25	1	20	18	75
Personal Property, Schedule B, val. $																				
Personal Property, Schedule C, val. $																				
Value $																				
Poll Tax for State and County																				
Total																			~~1~~	~~50~~
5 Per Cent. Penalty																			18	75
Total																				94
																			19	69

Received payment 27 day of Dec 1911 Geo. W. Butts Treasurer.

$10.00 Received of E. S. Norfleet ten dollars for writing deed E. S. Norfleet, Trustee. to Elisha T. Johnson.

$21.86 This account of taxes paid
by E. T. Johnson for the year
1911 —

D.E.E.

Date of receipt Nov 18 - 1912 —

$2150.26

Received of E. S. Norfleet, Trustee, of C. T. Cross and others twenty one hundred and thirty dollars and twenty six cents.

Sarah E Cross
Chas. A. Johnson

12/28/12

R. H. Rawls

Everett & Hutton ..... p. q.

Copy of Costs
Taxed in the Suit of:

E. S. Norfleet, Trustee

vs.

J. B. Morgan, Admr. of C. T. Cox et als.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Writ Tax		1 50
Clerk		8 94
Sheriff	2 paid ($4.50 Paid by S. E. Everett)	10 50
Attorney		15 00
Commissioner		
Printer, for Order of Publication, etc.		

Date of Judgment or Final Decree 191

$15.00
4.50

Paid Dec. 28, 1912 $35.94

S. E. Bunting, Clerk

W. J. KENDRICK, President and Editor
J. C. HOLLADAY, Secretary and Treasurer

Suffolk, Va., DEC 27 1912 1912

Mrs. L. E. Everett

E. Norfleet Corn Property

To SUFFOLK HERALD CORPORATION, Dr.

: : Newspaper and Job Printing : :

No. 912 WASHINGTON STREET

TERMS OF THIS BILL—NET CASH

BOTH PHONES

1911					
July	31	To Adv sale of Corn land for E Norfleet			4 50
		Recivd Payment 12/30/12 Suffolk Herald By Gardner			

W. J. KENDRICK, President and Editor
J. C. HOLLADAY, Secretary and Treasurer

Suffolk, Va., DEC 27 1912 1912

Mr. L. E. Everett

E Norflet
Sale Cross Land

To SUFFOLK HERALD CORPORATION, Dr.

: : Newspaper and Job Printing : :

No. 912 WASHINGTON STREET

TERMS OF THIS BILL—NET CASH

BOTH PHONES

1911					
July	5	To 50 Handbills sale of Cross Land for E Norflet			1 75
					4 50
		Recd Payment 12/30/12 Suffolk Herald By Gardner			6 25

THIS DEED, Made this 30th day of June in the year one thousand eight hundred and ninety six between Charles T. Cross and Sarah Cross, his wife, of Nansemond County, Virginia, of the first part and Charles A. Johnson of said County and _____ of the second part-

WITNESSETH: In the consideration of the natural love and affection which the said Charles T. Cross and Sarah Cross, his wife, have for their nephew, Charles A. Johnson, as well as the consideration named below, the said Charles T. Cross and Sarah Cross do give, grant, sell and convey unto the said Charles A. Johnson, the following property:

First: All that tract of land on which the said Charles T. Cross now resides situated in Nansemond County, Virginia, and bounded and described as follows: Adjoining the lands of John A. Cross, Timothy T. Langstun and "Somerton Creek" containing Three hundred (300) acres, more or less.

Second: All the personal, chattel and mixed property now belonging to the said Charles T. Cross and Sarah Cross,, his wife and being on the premises deacribed above, But it is expressly understood and agreed that the same is sold subject to their life right, but the said Charles A. Johnson shall have possession of said property and rent free, The consideration besides the natural love and affection is that the said Charles A. Johnson shall take good care of and supply with all necessaries the said Charles T. Cross and Sarah Cross, his wife and provide for their decent burial at death and it is further agreed and covenanted that the said Charles A. Johnson shall pay for the said Charles T. Cross three hundred ($300.00) Dollars which is secured by a deed of trust on the real estate named above. The grantors covenant that they have the right to convey the said property to the grantee; that the grantee shall have quiet possession of said property free from all incumbrances that they, the said parties of the first part will execute such further assurances of the said property as may be requisite; that they have done no act to encumber the said property.

Witness the following signatures and seals-

Charles T. Cross (SEAL).

Sarah E. Cross (SEAL).

State of Virginia,

County of Nansemond, to-wit:

I, Geo. T. Parker, a Justice of the Peace for the County aforesaid in the State of Virginia, do certify that Charles T. Cross and Sarah E. Cross whose names are signed to the foregoing writing bearing date the 30th day of June, 1896, have acknowledged the same before me in my county aforesaid.

Given under my hand this 2nd day of July 1896.

All interlineations and changes were made before acknowledgment.

Geo. T. Parker, J. P.

In the Clerk's Office of Nansemond County, the 5th day of September, 1896. This deed was presented and with the certificate annexed, admitted to record.

Teste:

R. R. Smith, Clerk.

A copy,- Teste:

G. E. Bunting, Clerk.

By S. J. Parker, D.C.

Copy

Charles D. Cross & wife

To { Deed of
B. & Sale

Charles A. Johnson

D. B. 34 - Page 151

Fee $0.75

Suffolk, Va., December 19, 1911.

To Mr. Edward S. Norfleet, Trustee.

Greeting:

Whereas you are named as Trustee in the Deed of Trust dated the 3rd day of September, 1896, executed by C. T. Cross and others, and recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book 37, page 472, and whereas on Tuesday, August 15, 1911, you, as Trustee, made sale of said property: and

Whereas the undersigned are the only parties interested in the funds after the payment of the liens on said property, NOW THEREFORE the undersigned ask that you make settlement of the account and turn the funds over to them after the payment of proper expenses, etc.

We understand the purchaser give a deed of trust to secure the purchase money, this being so we are willing to have the deed of trust transferred to us and to receive it as cash and give you proper receipt.

Respectfully,

Mrs Sarah E Cross

Chas L Johnson

North Carolina

Hertford County To wit:

I, W P Shaw Jr, a Notary Public for the county aforesaid in the State of North Carolina; do certify that Sarah E. Cross, whose name is signed to the writing hereunto annexed, bearing date the 19th day of December, 1911, has acknowledged the same before me in my county

aforesaid.

Given under my hand this 20th day of Jany, 1912

W P Stans Jr
Notary Public.

My commission expires the 12th day of May, 1912.

State of Alabama

To wit:

Montgomery County

I, L D Guy, a Notary Public for the county aforesaid in the State of Alabama, do certify that Charles A. Johnson, whose name is signed to the writing hereunto annexed, bearing date the 19th day of December, 1911, has acknowledged the same before me in my county aforesaid.

Given under my hand this 22nd day of December, 1911.

L D Guy
Notary Public.

My commissions expire the 20 day of Sept, 1914.

E. S. Norfleet, Trustee.....Complainant.

vs. In Chancery.

J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner.....Defendants.

This cause, in which process has been duly served on all of the defendants, came on to be heard on the bill taken for confessed as to the defendants, J. B. Morgan, Administrator of C. T. Cross, John A.Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cross, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, Alice Turner, and Annie May Skinner, and on the answers of Sarah E. Cross and C. A. Johnson, and the answer of the said infant defendants, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, and Jasper O. Cutchin, by their guardian ad litem, J. R. Saunders, duly assigned at rules to defend the interest of said infants, and the answer of said guardian ad litem to the said infant defendants, and on depositions and exhibits this day filed, with general replication, and was argued by counsel.

On consideration whereof, it appearing to the court from the depositions and exhibits filed that Sarah E. Cross and C. A.

Johnson are the only parties interested in the funds in the hands of the said trustee after the payment of the liens and expense of sale, the court doth adjudge, order and decree that the said trustee, E. S. Norfleet, pay in full all liens on said property and expense of sale, and pay the remainder to the said Sarah E. Cross and C. A. Johnson, taking their joint receipt for the same, and make report to the court, showing distribution of said funds accompanied by proper vouchers.

E. S. Norfleet, Trustee,

Decree ordering dis-

vs

tribution of funds.

J. B. Morgan, Adm'r of C. T.

Cross, et als.....

Enter 16th day of November, 1912

Chas L. McLemore.

Entered in Chancery Order Book

No. 4, page 538.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ~~NANSEMOND COUNTY~~ Southhampton County—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

A copy—Teste:
G. E. Bunting, CLERK.
By T. L. Twitty, D.C.

Teste:
G. E. Bunting, CLERK.
By T. L. Twitty, D.C.

Executed in
Southampton County
This 28th day of
June 1912 by Summoning
the within named
Alice Turner
John I Turner.
Sheriff

Executed this 29th
day of June 1912 in
South Quplon County
by delivering a true
Copy of the within Summons
& the within Record William
Cross & Annie May Skinner
Rec'd Beale Deputy
for John I Turner Sheriff

R. H. Rawles p. q.
Everett & Hutton

Copy Fee

vs. } In Chancery

Alice Turner

1912

July Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 186

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Hamlett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

A copy—Teste:
A. L. Twitty D.C. CLERK.

Teste:
G. E. Bunting, CLERK.
By A. L. Twitty, D.C.

Legal and sufficient service is hereby accepted.

---

c. R. H. Rawles ..... p. q.

Everett & Hutton

Legal and sufficient service is hereby accepted

Mark E. Cross

Copy fax

vs. } In Chancery

Sarah E. Gross

1912

July Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

On motion of the Complainant in this cause, J. R. Saunders _____, a discreet and competent attorney-at-Law is hereby appointed Guardian ad Litem for J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin and Jasper O. Cutchin, infants under the age of twenty-one years, to defend then in this suit.

Given under my hand this 1 day of July, 1912.

P. E. Bunting

C. C. C.

CIRCUIT COURT

Second Monday in January, March, May July and October

HON. JAMES L. McLEMORE, Judge
GEO. E. BUNTING, Clerk
J. U. BURGES, Commonwealth's Attorney
ALEX. H BAKER, Sheriff
C. R. FULGHAM, County Treasurer
LEE BRITT. Commissioner of Accounts

Nansemond County Clerk's Office

SUFFOLK, VA.,

E. S. Norfleet, Trustee

Vs.(IN CHANCERY

J. B. Morgan,Adms. of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, Jno. T. Cutchins, Jennie B. Vaughan, Alice May Cutchins, Caudy W. Cutchins, J. Clyde Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner-

---

1912
June 17- Summons issued returnable to July Rules- First Monday.

July 1, Bill filed .Sums. returned executed on all Defts; with exception of Jno.Cross& Clio Cross.

J.R.Saunders appointed guardian ad litem to Jasper C .Cutchins,Allie May Cutchins,Paul S.Cutchins,T.B.Cutchins & J.Clide Cutchins.

Decree nisi as to J. B. Morgan, Admr. of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Eunice Rountree, Jno. T. Cutchins, Jennie B. Vaughan, Alice May Cutchins, Caudy W. Cutchins, J. Clyde Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner.
Alias summons as to John Cross and Clio Cross-Returnable to July Rules- 3rd Monday-
July 14th- Alias summons returned executed- as to John Cross and Clio Cross- and decree nisi as to them-

Aug. 5th- Bill taken for confessed as to all defendants- and set for hearing.

Put on Court Docket of new cases.

Ruth Nolan

C. A. Johnson

Dec 28 - 1912

Note

60 days —

AUCTION
SALE
OF A VALUABLE FARM

Containing 300 acres, more or less, and situated near Holy Neck Church, Nansemond County, Virginia.

By virtue of authority vested in me by a Deed of Trust, dated the 3d day of September, 1896, executed by C. T. Cross, Sarah E. Cross, his wife, and C. A. Johnson, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book 37, page 472, I shall

ON TUESDAY, AUGUST 15, 1911

AT TWO O'CLOCK P. M.

IN FRONT OF THE POST OFFICE DOOR AT HOLLAND, VIRGINIA

at the request of the beneficiary named in the Deed of Trust, proceed to sell at public auction the following property as described in said Deed of Trust, to-wit:

All that certain tract of land, on which the said parties of the first part reside, in Holy Neck District, Nansemond County, Virginia, and containing 300 acres, more or less, together with all the appurtenances, and described and bounded by the lands of John A. Cross and the lands of T. E. Langston, deceased, and the Somerton Creek.

TERMS: For cash, as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt; and if there be any residue of said purchase money the same shall be made payable at such time, and secured in such manner, as the said parties of the first part, their executors, administrators or assigns shall prescribe and direct, or in case of their failure to give such directions, at such time and in such manner as the said Trustee shall think fit.

EDWARD S. NORFLEET,

TRUSTEE.

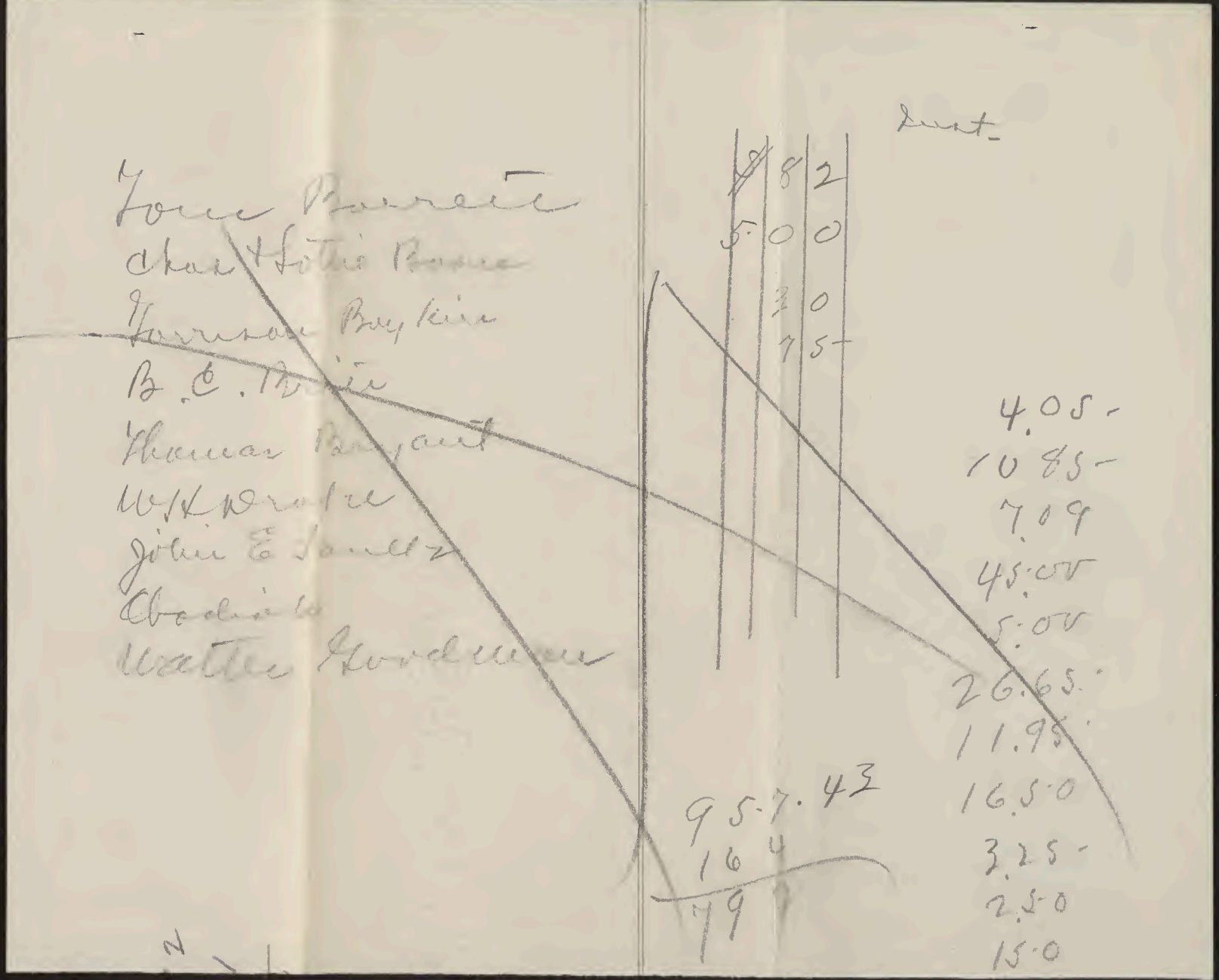
95.0
8
76.00
25-
101

105-0

20
6.3.3½

1111

$ 275.4.00
105.0.00
425.5.0
$4229.5.0
Bonus 2000.00
S.E.E. $2229.5.0


Dust
8 2
5 0 0
3 0
7 5
4.05
10 85
7.09
45.00
5.00
26.65
11.95
16.50
3.25
2.50
15.0
95.7.43
164
79

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C.T.Cross, Sarah E. Cross, C.A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauley W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

A copy—Teste:
A. L. Twitty, DC CLERK.

Teste:
G. E. Bunting, CLERK.
By A. L. Twitty, DC

Legal and sufficient service is hereby accepted.
Harriet E. Johnson

R. H. Rawles
Everett & Hutton p. q.

Copy fee

vs. } In Chancery

Harriet E. Johnson

1912

July Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 7

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CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Hamlett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jaspr O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 191 2, in the 136th year of the Commonwealth.

A copy—Teste:
A. L. Twitty, D.C., CLERK.

Teste:
G. E. Bunting, CLERK.
By A. L. Twitty, D.C.

Legal and sufficient service is hereby accepted.
C. A. Johnson

R. H. Rawles p. q.
Everett & Hutton

Copy Fax

vs. } In Chancery
C. A. Johnson

1912

July Rules,
1 First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

Legal and sufficient Service is hereby Accepted
Everett & Hutton
Date

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA

TO THE Sergeant of the City of Newport News ~~SHERIFF OF NANSEMOND COUNTY~~—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C.T.Cross, SArah E. Cross, C.A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper C. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

A copy—Teste:
A. L. Twitty, DC CLERK.

Teste:
G. E. Bunting, CLERK.
By A. L. Twitty, DC

Deliver to Reader

W. H. Rawles
Everett & Hutton ..... p. q.

Copy for

vs. } In Chancery

Cleo Grass

issue ad

1912

July ..... Rules,

First ..... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

Newport News

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ Sergeant of the City of Portsmouth Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgen, Administrator of C.T.Cross, SArah E. Cross, C.A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper C. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

A copy—Teste:
A. L. Switty, D.C. CLERK.

Teste:
G. E. Bunting, CLERK.
By A. L. Switty, D.C.

JOHN. CROSS, #2807 Queen St.

Waiter.

Norfolk County

R. H. Rawles p. q.
Everett & Hutton

Copy fee

vs. } In Chancery

John Cross

Issue ad

1912

July Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

Petition

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ Sergeant of the City of Norfolk. Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, E. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haskett, Hilton Cross, Otis Cross, John Cross, Eunice Runnins, John T. Crutchins, Jennie B. Vaughan, Alice M. Crutchins, Sandy W. Crutchins, J. Clyde Crutchins, T. B. Crutchins, Paul S. Crutchins, Allie May Crutchins, Jasper Crutchins, the last five being infants under the age of twenty one years, Alice Turner and Annie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in Aug., 1912, to answer a Bill in Chancery, exhibited against Heirs &c in the said Court by E. S. Wolfarth, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 2nd day of August, 1912, in the 137th year of the Commonwealth.

A copy—Teste:
G. E. Bunting, CLERK.

Teste:
G. E. Bunting, CLERK.

R. H. Rawles
Everett T. Hudson ..... p. q.

Chas Simmons

A COPY
FOR

vs. } In Chancery

John Ross

1912

August ..... Rules,

Trial ..... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ Sergeant of the City Portsmouth — Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslet, William Cross, Ola Cross, John Cross, Emmie Rountree, John T. Culchins, Jennie B. Vaughan, Alice M. Culchins, Candy H. Culchins, J. Clyde Culchins, T. B. Culchins, Paul S. Culchins, Ollie May Culchins, Jasper Culchins, the last five being infants under the age of twenty-one years, Alice Turner and Minnie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the third Monday in September 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 10th day of September, 1912, in the 137th year of the Commonwealth.

A copy—Teste:
G. E. Bunting, CLERK.

Teste:
G. E. Bunting, CLERK.

Not finding John Cross, at his usual place of abode I Executed this 12th day of September 1912 in the City of Portsmouth, Va., by delivering a copy of the within Summon to Grece Cross, his wife whom I found there, a member of his family and over the age of sixteen years explaining to her its purport.

R. E. Glover, City Sergeant.

by. M. G. Rudd .....Deputy Sergeant.

P. H. Peete
Ewell & Hudgins p. q.
Plaintiff's Summons

A COPY FOR

In Chancery
vs.
John Cross

191 2

Returnable ..... Rules,
Appeared ..... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 108

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ ~~Sergeant of the City of Portsmouth, Va.,~~ Sheriff of Norfolk County, Va., Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. P. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchins, Jennie B. Vaughan, Alice M. Cutchins, Cauday W. Cutchins, J. Clyde Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper C. Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 23rd day of August, 1912, in the 137th year of the Commonwealth.

A copy—Teste:
G. E. Bunting, CLERK.

Teste:
G. E. Bunting, CLERK.

Bank Note
Contract

Everett V. Hutton ... p. q.

A COPY
FOR

vs. } In Chancery

John Cross
335 Liberty Street
Berkley

2827 Contract

191 2

September ... Rules,

First ... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ Sergeant of the City of Newport News,— Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C.T.Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

~~A copy—Teste:~~

_____, CLERK.

Teste: G E Bunting, CLERK

By A L Hewitt, D.C.

R. H. Rawles p. q.
Everett & Hutton

E. L. Nuckfleet, Trustee

vs. } In Chancery

J. B. Morgan, Admr, &c.

1912

July Rules,

2. First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

The within Summons was executed
this 27 day of June 1912 by delivering
to the within named C. C. Griffis
in person a true copy thereof in the
presence of Mrs. [illegible]
[illegible]
[illegible]
A Sergeant

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ Sergeant of the City of Norfolk, Va Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. P. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, JohnT. Cutchins, Jennie B. Vaughan, Alice M. Cutchins, Cauday W. Cutchins, J. Clyde Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper C. Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the ~~third~~ 12th Monday in August, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this ~~2nd~~ 23 day of August, 1912, in the 137th year of the Commonwealth.

~~A copy—Teste:~~

~~, CLERK.~~

Teste: G. E. Bunting, CLERK.

We do not
desire any papers
to come out
from under
seal but
must have
them

~~R. H. Banks~~
Everett & Hutton ..... p. q.

E. S. Norfleet, Trustee

vs. } In Chancery

J. B. Morgan, Admr. &c.

191 2

August ..... Rules,

Third ..... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF~~ Sergeant of the City of Portsmouth, ~~NANSEMOND COUNTY~~—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C.T.Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Caudey W. Cutchin, J.Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

~~A copy—Teste~~:

~~, CLERK.~~

Teste: G E Bunting, CLERK

By A. L. Twitty, DC

R. H. Rawles p. q.
Everett v Hutton

E. L. Norfleet, Trustee

vs. } In Chancery

J. B. Morgan, Admr., &c.

1912

July Rules,

First Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

TO GEORGE E. BUNTING, ESQ., CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. S. Norfleet, Trustee.....Complainant.

vs. In Chancery.

J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper C. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner.....Defendants.

Issue summons to First Rules(First Monday)in July, 1912.

P.Q.

Memorandum

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF NANSEMOND COUNTY~~ ~~Sergeant of the City of Portsmouth, Va.,~~ Sheriff of Norfolk County Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. D. Morgan, Administrator of C. P. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchins, Jennie B. Vaughan, Alice M. Cutchins, Cauday W. Cutchins, J. Clyd Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper C. Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 23rd day of August, 1912, in the 137th year of the Commonwealth.

~~A copy—Teste~~: _____, CLERK.

Teste: G. E. Bunting, CLERK.

Everett & Hutton ... p. q.

Phuris Simmons
E. S. Trafford, Trustee

vs. } In Chancery

J. B. Morgan, Admis. &c.

1912

September ... Rules,

First ... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

Not found.
A. C. Cromwell Sh'ff
By R. H. Dennis D. S.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ~~NANSEMOND~~ Middlesex COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. P. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriett E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, JohnT. Cutchins, Jennie B. Vaughan, Alice M. Cutchins, Cauday W. Cutchins, J. Cly Cutchins, T. B. Cutchins, Paul S. Cutchins, Allie May Cutchins, Jasper C. Cutchins, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the third Monday in August, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 2nd day of August, 1912, in the 137th year of the Commonwealth.

~~A copy—Teste~~: _____, CLERK.

Teste: G. E. Bunting, CLERK.

Fee .50 cents ✓

R. H. Parks

Everett & Hutton ..... p. q.

E. S. Norfleet, Trustee

vs. } In Chancery

J. B. Morgan, Admr. &c.

1914

August ..... Rules,

Third ..... Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 9

Page 166

Executed Dec 9 1912 by
serving a true copy
of the within Ex Capias
upon
R. H. Parks
E. S. Norfleet Trustee
Fee 50 cents for
Nansemond Co. Va.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, the last five being infants under the age of twenty-one years, Alice Turner and Annie May Skinner,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the First Monday in July, 1912, to answer a Bill in Chancery, exhibited against them in the said Court by E. S. Norfleet, Trustee

and have then and there this summons.

WITNESS, G. E. BUNTING, Clerk of our said Court, at his office, this 17th day of June, 1912, in the 136th year of the Commonwealth.

~~A copy—Teste:~~

~~_____, CLERK.~~

Teste:

G. E. Bunting, CLERK.

By N. L. Tuttle, D.C.

Executed this the 28th day of June 1912. by delivering a true copy of the within process. to J B Morgan, Administrator of C J Cross, Sarah E. Cross, C A Johnson, John A Cross, Harriett E Johnson, Essie Haskett, William Cross, Clio Cross, John Cross, Elmer Countiss, John T. Cutchins, Jennie B Vaughan, Alice M Cutchins, Candey W Cutchins, J Clyde Cutchins, J B Cutchins, Paul S Cutchins, Alice May Cutchins, Jasper O Cutchins, Alice Inman, Annie May Skinner, and to Essie Haskett, Elmer Countiss, John T Cutchins, Jennie B Vaughan, and Allie May Cutchins in person.

A St Baker Sheriff
By Hardy Holland D. S.

Alice M Cutchins, Candey W Cutchins, J Clyde Cutchins, J B Cutchins Paul S Cutchins, Jasper O Cutchins not being found at their usual place of abode, I delivered a true copy of the within process to Alice May Cutchins, a female member of the family, over the age of 16 years whom I found there, and to whom I explained the purport of the same.

W E Brinkley City Sergeant.
By Hardy Holland D Sergt.

Sarah E Cross, C A Johnson, John A Cross, Harriett E Johnson, William Cross, Clio Cross, John Cross, Alice Inman, and Annie May Skinner not found in my County.

A St Baker Sheriff.
By Hardy Holland D. S.

E. T. Parker p. q.
Everett Hutton

E. T. Haskett, Trustee

vs. } In Chancery

J. B. Morgan, Admr. of
E. T. Cross, Deceased.

191 2

Rules,

Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 106

The depositions of D. L. Sumner and W. Q. Peele, taken before me, Mary V. Andrews, a Notary Public, for the City of Suffolk, at the office of Everett & Hutton, in Suffolk, Virginia, on the 7th day of November, 1912, between the hours of 8 A. M. and 6 P. M. taken by consent of all parties in interest, to be read as evidence in the cause of E. S. Norfleet, Trustee, vs. J. B. Morgan, Administrator of C. T. Cross and others, now pending in the Circuit Court of Nansemond County.

PRESENT:

Everett & Hutton

R. H. Rawles,

Job R. Saunders, Guardian ad litem for the infants mentioned in said cause, was present during the entire time the within depositions were taken

Job R Saunders
guardian ad litem.

D. L. Sumner being duly sworn deposes and says as follows:

Q. State your name, age, residence, and occupation.

A. D. L. Sumner, Hamsemond County, 48 years old, farmer.

Q. Mr. Sumner are you acquainted with the C. T. Cross farm?

A. Yes sir.

Q. Mr. E. S. Norfleet sold at as Trustee at public auction at Holland, and it was struck off to E. T. Johnson for $2550. State whether you think that was a fair price for it, taking into consideration the condition of the farm, etc?

A. Yes, I think that was a fair price, considering the shape of the farm, no fence, etc.

Q. Do you know who owned the farm and how the title stood?

A. Well I understood it that the old man gave it to Mr. Johnson after his and his wife's death.

Q. Do you know whether Mr. Johnson after he went to work on the farm looked after Mr. and Mrs. Cross?

A. No sir, I do not know whether he did that or not. I know he moved on there.

Q. Do you know whether he took charge of everything?

A. Yes sir, he moved on the farm and took charge of everything.

Q. There has been some talk in the neighborhood about Mr. Cross's mind sometime before his death. Do you know whether or not there was anything wrong with the condition of his mind when he transferred his property about sixteen years ago to Johnson?

A. Well, I think his mind was all right then.

Q. Did you ever have any transaction with him?

A. No sir.

Q. Did you live in the neighborhood near where he lived?

A. I lived in about three miles and a half of him.

Q. How long have you been knowing Mr. Cross?

A. I have been knowing him nearly all my life.

Q. Did you know anything about him that would make you afraid to transact any business with him or to accept a deed from him?

A. No sir.

Q. There has been some talk in the neighborhood of his mind of late years. Did you hear anything of that kind, and why was it talked

A. Yes I heard it. I do not know why. I do not know of anything especially that he did one way or the other, it was just talked.

Q.Did you hear about his not wanting to go to church?

A. I know that he stopped going to church for a while, and that is about all that I do know that he did to cause people to talk.

Q. Did he afterwards commence to attend church again?

A. Yes sir.

And further this deponent saith not.

D L Summer

Mr. W. Q. Peele, being duly sworn deposes and says as follows:

Q. State your name, age, residence, occupation?

A. W. Q. Peele, Holland, Virginia, merchant, sixty years.

Q. Do you hold a deed of trust on the C. T. Cross property?

A. Yes sir.

Q. How long have you been holding the same?

A. I have ben holding the deed of trust on the property ever since the 3d day of September, 1896. I held a deed of trust on the property before this and that was released. This is the only deed of trust that I hold on it now.

Q. Will you state Mr. Peele who owned the property at the time the deed of trust was made?

A. Well it was owned by Mr. C. T. Cross and his wife with a deed of gift to Mr. C. A. Johnson at their death.

Q. All you claim in this matter is the payment of the bond secured by the deed of trust in full with interest to the date of payment.

A. Yes sir, that is all I claim.

Q. There has been some rumor in the neighborhood about the condition of Mr. C. T. Cross's mind of late years. Have you heard such a rumor and what have you to say about this?

A.I have heard that, and at times there was something the matter with him, I have never been in a position to say what. In busine matters I have never seen anything the matter with him, He seemed to be as accurate as any man I ever dealt with in my life, so

far as deeds and interest was concerned. I have never known him to make a mistake.

Q. You knew him well did you not?

A. I have been knowing him for about forty years.

Q. Was there anything he did to make you doubtful as to his competency as to transacting business and executing deeds and etc?

A. Not so faras the dealings of mine was concerned, I never saw anything wrong, he always seemed to be of sound mind, and used good judgment so far as our dealings was concerned, all I had ever had with him. In the payment of interest he was always very particular in taking receipts, and etc., more so than the most of men

Q. Did you ever see him do or transact any business with anybody else that would have made you think he was not safe to deal with.

A. I never have heard of any.

Q. These rumors came about after all these deeds and your deed of trust were executed or before.

A. Well the first I ever heard it was before the deed of gift was made to Johnson. As I told you the first deed of trust was made and went to maturity about one and one-half years before he died, and I asked him to take it up and he didn't hesitate at all to renew it. He sold some lumber out there to Mr. Morgan and he made some arrangement and took it up, and I released the deed of trust. I hold the old bond, and also the third one, they have never been called for.

Q. You are certain in your mind that he was competent to transact any business for himself and anybody else that he saw fit to do?

A. I think so sir. When he gave that deed of gift to Johnson he must have been in his right mind, he provided for his just debts, and for his burial for himself and his wife, and the very papers show that he knew what he was doing, and the deed of trust there was on it was provided for, in this deed, and says that that must be paidin full which has been paid.

Q. Is there anything else that you wish to say about this matter.

A. The trustee was advised that as long as there was some question as to where the funds were going, to ask the court to direct him how to pay it, and I have been waiting on iwthout any objection

to give him time to striaghten it out.

And further this deponent saith not.

W. Q. Peele

Virginia, City of Suffolk, to-wit:

I Mary, V. Andrews, a Notary Public, for the City aforesaid in the State of Virginia, do certify that the foregoing depositions of D. L. Sumner and W. Q. Peele, were duly taken and sowrn to before me, at the time and place stated in the caption hereof. My term of office expires on the 4th day of March, 1915.

Given under my hand this 7th day of November, 1912.

Mary V. Andrews
Notary Public.

Notary Fee $1.50

Dépositaires

E. S. Norfleet, Trustee.....complainant.

vs. In Chancery. Answer of infant defendants by guardian ad litem.

J. B. Morgan, administrator of
C. T. Cross, et als.....defendants.

In the Circuit Court of Nansemond County:

The answer of J. R. Saunders, guardian ad litem to the infant defendants, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper O. Cutchin, and the answer of the said infant defendants by their said guardian ad litem to a bill of complaint exhibited against the said infants and others by E. S. Norfleet, Trustee, in the Circuit Court of Nansemond County.

For answer to the said bill the said infant defendants by their said guardian ad litem answer and say that being of tender years they do not know what their true interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the court. And the said guardian ad litem of the said infant defendants for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. And now having fully answered, these defendants pray to be hence dismissed, with their costs, etc.

By J. R. Saunders
Guardian ad Litem

STATE OF VIRGINIA,
County of Nansemond;

Sworn to before me in my county aforesaid by J. R. Saunders, Guardian ad litem as aforesaid, this 2nd day of November, 1912.

H. E. Brewer N.P.

E. S. Norfleet, Trustee.....Complainant.

vs. In chancery. Answer.

J. B. Morgan, Administrator of C. T. Cross,et als...Defendants.

The joint and several answer of Sarah E. Cross and C. A. Johnson to the bill of complaint exhibited against them and others by E. S. Norfleet, Trustee, in the Circuit Court of Nansemond County.

For answer to the said bill of complaint, your respondents, Sarah E. Cross and C. A. Johnson, say that the property mentioned in the said bill was conveyed to C. A. Johnson, one of your respondents, by C. T. Cross, by deed dated the 5th. day of September, I896, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book 38, page I5I,and that the said property was conveyed under the conditions set out in the said bill. Your respondents represent to your honor that they were the owners of the said property subject to the deed of trust under which the said land was sold and they are, therefore, entitled to the proceeds of said sale after payment of the trust debt and expenses of said sale.

Your respondents further represent that, being over the age of twenty one years, they are competent to settle and adjust this matter between themselves and that they are ready to give to the said trustee, E. S. Norfleet, a joint receipt and have the said bond secured by the said deed of trust mentioned in the said bill turned over to your respondents, Sarah E. Cross and C. A. Johnson, or to your respondent Sarah E. Cross. If,however, the said deed of trust shall be paid in full, then your respondents will give a joint receipt for the funds turned over to them. Your respondents pray that your honor will direct the said trustee to make a reasonably prompt settlement and close the matter up with as little cost as possible.

Your respondents deny that C. T. Cross was incompetent to execute the said deed and deed of trust.

Chas. A. Johnson

Mrs Sarah E Cross

STATE OF Alabama,
County of Montgomery, to-wit:

This day personally appeared before me, the undersigned, a Notary Public for the county and state aforesaid, the above-named C. A. Johnson, and made oath that the statements contained in the foregoing answer are true.

Given under my hand this 2nd day of Nov, 1912.

J J Campbell N. P.
my commission expires Jan 6. 1914.

STATE OF North Carolina,
County of Hulfax, to-wit:

This day personally appeared before me, the undersigned, a Notary Public for the county aforesaid, the above-named Sarah E. Cross, and made oath that the statements made in the foregoing answer are true.

Given under my hand this 5th day of Nov, 1912.

James I. Griffin N.P.

My Commission Expires Nov. 13, 1913

Courtesy of Mrs.
S. B. Crow and
C. A. Johnson

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

E. S. Norfleet, Trustee, ...Complainant.

vs. In Chancery. Second September Rules, 1912.

J. B. Morgan, Administrator of C. T. Cross,
et als.....Defendants.

E. S. Norfleet, Trustee, complaining, states to your Honor the following case: That C. T. Cross owned a certain tract of land, situated near Holy Neck Church, Nansemond County, Virginia, and containing about three hundred and ten acres, and that, on the 3rd. day of September, 1896, the said C. T. Cross, Sarah E. Cross, his wife, and C. A. Johnson executed a deed of trust on said property to your complainant as trustee for the benefit of W. Q. Peel and said deed of trust is recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book 37, page 472.

At the request of the said beneficiary, your complainant as trustee in the said deed of trust, after proper advertisement of sale, sold the said property on the 15th. day of August, 1911, at public Auction in front of the Post Office door at Holland, Virginia, for the sum of twenty-five hundred and fifty ($2550.00) dollars, to Elisha T. Johnson, he being the highest bidder at said sale.

On the 31st. day of August, 1911, your complainant as trustee executed a deed, which deed is recorded in said Clerk's Office in Deed Book 70, page 487, conveying the said property to Elisha T. Johnson, the purchaser at said sale, and on the same day the said Elisha T. Johnson executed a deed of trust for twenty-five hundred and fifty($2550.00) dollars on said

property, which deed of trust is recorded in said Clerk's Office in Deed Book 69, page 603. The bond secured by said deed of trust was endorsed by a responsible party and the said twenty-five hundred and fifty($2550.00) dollars has been at interest since the date of said deed of trust.

On the 5th. day of September, 1896, the said C. T. Cross and Sarah E. Cross by deed recorded in said Clerk's Office in Deed Book 38, page151, conveyed the above mentioned property to C. A. Johnson, in fee, subject to maintenance and support of said C. T. Cross and Sarah E. Cross.

In the first part of the year,1911, C. T. Cross died leaving his widow, Sarah E. Cross, who, under the deed above mentioned, would have an interest in said property. Your complainant, trustee in the deed of trust aforesaid, does not feel competent to make this settlement without the direction of the Court and since the said sale your complainant and trustee has heard a rumor among the relatives of C. T. Cross that he was not competent to make a deed when the said deed was executed by C. T. Cross and Sarah E. Cross conveying the property to C. A. Johnson. These facts being true, Your complainant and trustee, as aforesaid, believes that it is proper for him to ask the direction of the Court as to the disbursement of the proceeds of said sale.

C. T. Cross died without issue leaving widow, Sarah E. Cross and C. A. Johnson is a nephew of C. T. Cross and lived with C. T. Cross and Sarah E. Cross from babyhood until some years after he was married. He was loved by them and was treated as if he were their own child.

J. B. Morgan qualified as administrator of the estate of C. T. Cross and was made a party to this bill so that he might make his settlement in this suit if he preferred.

The heirs of C. T. Cross are as follows: John A. Cross, brother; Harriet E. Johnson, sister; Essie Haslett, William Cross, Clio Cross, John Cross and Eunice Rountree, nephews and nieces of C. T. Cross, being the children of Thomas Cross, deceased, who was a brother of C. T. Cross; John T. Cutchin, Alice Turner, Jennie B. Vaughan, and Annie May Skinner, Nephews and nieces of C. T. Cross, being children of Mary Ann Cutchin, deceased, who was a sister of C. T. Cross; Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin and Jasper C. Cutchin, children of James W. Cutchin, deceased, who was the son of Mary Ann Cutchin, deceased, the sister of said C. T. Cross; and Alice M. Cutchin, Widow of said James W. Cutchin.

In tender consideration whereof, and forasmuch as your complainant is remediless in the premises save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said J. B. Morgan, Administrator of C. T. Cross, Sarah E. Cross, C. A. Johnson, John A. Cross, Harriet E. Johnson, Essie Haslett, William Cross, Clio Cross, John Cross, Eunice Rountree, John T. Cutchin, Jennie B. Vaughan, Alice M. Cutchin, Cauday W. Cutchin, J. Clyde Cutchin, T. B. Cutchin, Paul S. Cutchin, Alie May Cutchin, Jasper C. Cutchin, the last five being infants under the sage of twenty-one years, Alice Turner and Annie May Skinner may be made parties defendant to this bill and required to answer the same; that a proper guardian ad litem be assigned to the infant defendants to defend their interests in this suit, who shall answer this bill; that your complainant, trustee as aforesaid, be directed as to the

proper disbursement of the proceeds of the above mentioned sale; that proper process issue; that all proper orders and decrees may be made, and proper enquiries be directed, and that all such other, farther and general relief may be afforded your complainant as the nature of his case may require, or to equity shall seem meet. And your complainant will ever pray, etc.

E. S. Norfleet

Complainant.

Counsel:

R. H. Rowley, Evans & Hobson

Everett & Hutton

Edward S. Norfleet, Trustee.
vs
J. B. Morgan adm'r
and others

Filed July 1, 1912
G. E. Bunting
P. Clerk

EVERETT & HUTTON
ATTORNEYS AT LAW
SUFFOLK, VA.

14356